

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

MARCUS ANTONIO SATTERFIELD,

Plaintiff,

v.

SGT. MANNY GILL, MARK
MASSEY, DAVID L. HESS,
RODNEY CHANDLER, EMPLOYEES
OF PERSON COUNTY DETENTION
CENTER STAFF, SHERIFF,
DEPUTY SHERIFF, SHERIFF OF
ROXBORO, and DEPUTY SHERIFF
OF ROXBORO,

Respondent.

1:25-cv-336

ORDER

The matter is before this court for review of the Order and Recommendation ("Recommendation") filed on May 7, 2025, by the United States Magistrate Judge in accordance with 28 U.S.C. § 636(b). (Doc. 3.) In the Recommendation, the Magistrate Judge recommends that the Complaint should be dismissed without prejudice to Plaintiff filing a new complaint, on the proper § 1983 forms, which corrects the defects of the present Complaint.

The Recommendation was served on Plaintiff in this action on May 7, 2025. (Doc. 5.) Plaintiff timely filed objections, (Doc. 6), to the Recommendation.

This court is required to "make a de novo determination of those portions of the [Magistrate Judge's] report or specified

proposed findings or recommendations to which objection is made." 28 U.S.C. § 636(b)(1). This court "may accept, reject, or modify, in whole or in part, the findings or recommendations made by the [M]agistrate [J]udge. . . . [O]r recommit the matter to the [M]agistrate [J]udge with instructions." Id.

This court has appropriately reviewed the portions of the Recommendation to which the objections were made and has made a de novo determination which is in accord with the Magistrate Judge's Recommendation. This court therefore adopts the Recommendation.

IT IS THEREFORE ORDERED that the Magistrate Judge's Recommendation, (Doc. 3), is **ADOPTED. IT IS FURTHER ORDERED** that this action is **DISMISSED WITHOUT PREJUDICE** to Plaintiff filing a new complaint, on the proper § 1983 forms, which corrects the defects cited in the Recommendation.

A Judgment dismissing this action will be filed contemporaneously with this Order.

This the 20th day of May, 2025.


United States District Judge